Demand of Indian Pharma Goods in Russia

5189. SHRI NANA DESHMUKH: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether Indian Pharma goods are in great demand in Russia and Indian Pharmaceutical companies do attach great importance to get a market in Russia; and

(b) if so, the steps taken by Government to accelerate the Indian investment in that country?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI MURASOLI MARAN): (a) Yes sir. There is good demand for Indian pharma products in Russia primarily on account of the fact that the Indian pharma products/ substances are qualitatively comparable with those offered by the Western/ Multinational pharma companies and far less expensive. The Indian pharma companies have always been keen to promote pharma exports to Russia as can be seen from the fact that export of drugs, pharmaceuticals and fine chemicals has increased over the years from Rs. 282 crores in 1994-95 to Rs. 397 crores for the period April-December, 1999- 2000. Around 100 Indian companies are operating in the Russian Federation and also more than 700 Indian formulations have been registered.

(b) Government has been encouraging Indian pharmaceutical companies to establish Joint Ventures in Russia and to expand their market share in the Russian market. Government has been taking up with the Government of Russian Federation in the Indo-Russian Working Group on Pharmaceuticals various issues relating to export of pharma goods and Indian investment. The Embassy of India in Moscow has been working towards promoting contacts between the Indian companies and the importers in the Russian Federation. Indian pharmaceutical companies have also been participating in pharmaceutical trade fairs in Russia through ITPO as well as directly.

Patenting of Indian Plants

5190. DR. Y. LAKSHMI PRASAD: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether several Indian plants like zeera, kali mirch, ritha, karela, Jamun have been patented in foreign countries like Japan, U.S. and China; and

(b) if so, the steps taken to mobilise developing countries to demand plant and plant products as non-patentable items because they were not invested for patenting and avoid litigation in this regard as well as save our bio- diversity?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. RAMAN): (a) Patents cannot be granted for products existing in nature as they would not meet the criteria of patentability, namely, novelty, inventive step and industrial applicability. However, patents have reportedly been granted on compositions based on certain properties of plants.

Patents are granted under the sovereign prerogative of countries according to their respective patent laws and have territorial effect, that is, they are effective only in the country of grant. However, as and when information is received about patents being obtained on certain items which are not considered patentable and which affect Indian interests, steps are taken to assess whether the grant of such patent can be challenged under the patent laws of the country concerned.

(b) India has proposed in the WTO that it may be advisable to exclude patents on all life forms. If this is not possible, then it is advisable to exclude patents based on traditional/indigenous knowledge and essentially derived products and processes from such knowledge; or at least insist on disclosure of the country of origin of the biological resource and associated knowledge, and obtain consent of the country providing the resources and knowledge, to ensure equitable sharing of benefits. India has the support of many developing countries in the matter.

Andre's Case in London Court

5191. SHRI GOPALSINGH G. SOLANKI: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether it is a fact that in the Andre's case STC Solicitors repeatedly requested to depute STC's cited witnesses and also forewarned that in the absence of witnesses, STC was likely to lose the case;

(b) if so, the details of such letters/messages;

(c) whether it is also a fact that in the relevant judgement of the London Court the fact that STC did not send its witnesses found repeated mention;

(d) if so, the extracts thereof; and